

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Telecommunications Relay Services,
and Speech-to-Speech Services for
Individuals with Hearing and Speech
Disabilities

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) CC Docket No. 03-123
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SECOND ANNUAL REPORT ON CAPTIONED TELEPHONE SERVICE
BY ULTRATEC, INC., SPRINT CORPORATION, AND HAMILTON RELAY, INC.

I. Introduction

On August 1, 2003, the Federal Communications Commission (FCC or Commission) released a Declaratory Ruling approving captioned telephone service as an enhanced voice carry over telecommunications relay service.¹ At that time, the FCC waived certain minimum mandatory standards for captioned telephone service, conditioning such waivers upon the filing of annual reports with the Commission for a period of three years.² The purpose of these reports is to detail compliance with the Declaratory Ruling and to describe “any technological advances that may enable captioned telephone service providers to meet these waived standards.”³

¹ *In the Matter of Telecommunications Relay Services, and Speech-to-Speech for Individuals with Hearing and Speech Disabilities, Declaratory Ruling*, CC Dkt 98-67, FCC 03-190 (rel. August 1, 2003) (Declaratory Ruling).

² The Commission permanently waived other mandatory minimum standards that “inherently do not apply” to captioned telephone service, but did not make these waivers contingent on the filing of reports. Permanent waivers were granted for the provision of speech-to-speech relay service, hearing carry over, outbound 711 calls, gender preference, call release, and the requirement to handle calls in ASCII and Baudot formats. Although the FCC also granted a waiver for interrupt functionality, it has since decided not to require this as a minimum relay standard. *In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Report and Order, Order on Reconsideration, and Further Notice of Proposed Rulemaking*, FCC Dkts 90-571, 98-67, 03-123, FCC 04-137 at ¶71 (rel. June 30, 2004).

³ Declaratory Ruling at ¶27.

The FCC granted the following three waivers contingent on the filing of these annual reports. This second annual report establishes the continued need for each of these waivers.

- Use of voice recognition technology to meet communications assistant (CA) competency skill requirements (including a waiver for CA competency in interpretation of typewritten ASL)
- Use of oral-to-text test to replace oral-to-type test
- Refusal of single or sequential calls for outbound calls

II. Waivers Contingent Upon Filing of Annual Reports

A. Use of voice recognition technology to meet CA competency skill requirements

Over the past two years, Ultratec's captioned telephone service has successfully used its voice recognition technology, Fastran, to achieve compliance with FCC minimum standards that require CA competency in grammar, spelling, and typing skills. Rather than rely on individual CA skills in each of these areas, Fastran software is designed to ensure accuracy in grammar and spelling as a captioned telephone CA repeats, word-for-word, what the voice user says.

At present, there are a total of thirty programs offering CapTel Service.⁴ Volume in all of the states that now offer CapTel service continues to grow, and consumers as well as state administrators have consistently expressed satisfaction with the manner in which CapTel technology is meeting their needs. Moreover, as the volume of CapTel calls has steadily risen, the number of individuals who have filed complaints about this service has remained low. Ultratec believes this satisfaction confirms the ability of voice recognition technology to meet CA competency skill requirements.

⁴ The following states plus the Federal Relay Service offer CapTel: Alabama, Arkansas, California, Colorado, Connecticut, Florida, Hawaii, Illinois, Indiana, Kentucky, Maine, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, Oregon, Pennsylvania, South Carolina, Texas, Utah, Vermont, Virginia, Wisconsin, and Wyoming. Arizona, New Hampshire, New Jersey and Tennessee are scheduled to start up CapTel service some time this year. At least four other states are working on offering CapTel in the near future.

CA competency in interpretation of typewritten ASL

A subcomponent of the waiver for CA competency relates to the ability of CAs to interpret typewritten ASL. As the FCC acknowledges in its Declaratory Order, there is never a situation where parties to a captioned telephone call use typewritten ASL.⁵ This is because both parties to the conversation use their own voices to speak, and the CA merely repeats, word for word, what the hearing end user says (which is then converted into text with the speech recognition technology). Accordingly, there is no typing by the captioned telephone user at any time during a CapTel call, nor does the CA ever have the opportunity to interpret or convert what anyone types into typewritten ASL because the CA remains transparent to the telephone call. Although the Declaratory Ruling states that this waiver is contingent on the filing of annual reports, in actuality this standard has no application to the captioned telephone service provided, and should fall into the second category of “do not apply” waivers enumerated in footnote 2 above.

B. Use of oral-to-text test to replace oral-to-type test

With captioned telephone technology, text transcription of the conversation is primarily generated using the Fastran voice recognition technology. As a consequence, the speed and accuracy of the text does not depend on a CA’s typing skills. One of the major benefits of captioned telephone is that it allows faster and more accurate relay conversations precisely because it replaces human typing with high-speed computer voice recognition. Only when words or proper names are used that the computer does not recognize must the CA type in the correct words, after which the CA goes back to re-voicing what is being said. It is for this reason that Ultratec requested, and was granted, a waiver of oral-to-type testing.⁶ Ultratec was permitted to substitute oral-to-*text* testing instead oral-to-*type* testing to ensure conversational

⁵ Declaratory Ruling at ¶42.

⁶ Declaratory Ruling at ¶44.

accuracy. Since the beginning of CapTel trials in October 2001, Ultratec has used the oral-to-text testing method to determine the performance level of CapTel CAs. Periodic testing conducted to ensure CA performance and proficiency using voice recognition technologies continues to be at a level that well exceeds the FCC's minimum transmission speed requirement of 60 words per minute. In fact, CapTel is able to consistently achieve the transmission of conversations at speeds well over 100 words per minute.

C. Refusal of single or sequential calls for outbound calls

In its Declaratory Ruling, the FCC acknowledged that individuals making outbound captioned telephone calls and inbound calls via the captioned telephone access number dial the number for those calls directly, and that a CapTel CA does not have any role in accepting or rejecting those calls.⁷ Because call set-up is automatic, and the CA's role is merely limited to re-voicing what the voice party says, there is no way that a CA can refuse single or sequential calls made by users of the captioned telephone service. We hereby confirm that captioned telephone callers – both inbound and outbound – continue to dial directly to their destinations and that there is no danger that their calls could or would ever be rejected by a captioned telephone CA. Although this waiver is contingent on the filing of annual reports, this standard has no application to the captioned telephone service provided by us, and should fall into the second category of “do not apply” waivers enumerated in footnote 2 above.

III. 711 for Inbound Calls

The FCC's Declaratory Ruling on captioned telephone service granted a one year waiver for inbound 711 calls. The handling of 711 calls through captioned telephone services has since proven to be technically feasible. Accordingly, since July 31, 2004, 711 service has been offered by all CapTel services offered by Ultratec in states that are served by Sprint and

⁷ Declaratory Ruling at ¶46.

Hamilton Relay. To the extent that other state programs properly direct 711 calls to CapTel CAs, these employees will handle those calls as well.

IV. Compliance with Other Mandatory Minimum Standards

As captioned telephone service providers, we hereby attest to compliance with the remaining mandatory minimum standards applicable to telecommunications relay services as contained in the FCC's rules, 47 CFR 64.604 *et seq.* The increasing number of states that are adopting CapTel service for their residents, coupled with the steady increase in call volume, low incidence of complaints, and the feedback from CapTel users and their family members sharing 'positive life impact stories' by phone, e-mail and U.S. mail demonstrate the effective manner in which the captioned telephone service is meeting the FCC's standards.

Respectfully submitted,

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